

# Exhibit D

1 **IN THE MATTER** of a request by The United States for the extradition of Samuel  
2 Bankman-Fried

3 **AND**

4 **IN THE MATTER** of the Extradition Treaty between the Government of the  
5 Commonwealth of The Bahamas and the Government of The United States of America

6 **AND**

7 **IN THE MATTER** of the United States of America

8 **AND**

9 **IN THE MATTER** of the Extradition Act, Ch. 96 of the statute laws of The Bahamas

10  
11 **BETWEEN**

12 **THE UNITED STATES OF AMERICA**

13 **Applicant**

14 **AND**

15  
16 **SAMUEL BANKMAN-FRIED**

17 **Fugitive**  
18

19 **THE COURT:** Good morning King's Counsel.

20 **MR. WILLIAMS:** Good morning your worship.

21 **THE COURT:** Yes for the record might I have the appearances please.

22 **MR. WILLIAMS:** Yes, if it please you your worship I appear Franklin Williams.

23 **THE COURT:** Yes.

24 **MR. WILLIAMS:** With me is Miss Cordell Fraser and Mistress Karine McVean.

25 **THE COURT:** Karine.

26 **MR. WILLIAMS:** Karine K-A-R-I-N-E McVean.

27 **THE COURT:** Thank you. Sorry Mr. Williams how did you spell Karine?

28 **MR. WILLIAMS:** K-A-R-I-N-E.

29 **THE COURT:** K-A-R?

30 **MR. WILLIAMS:** I-N-E.

31 **THE COURT:** Very well, McVean. That's with V And two E's?

32 **MR. WILLIAMS:** M-A-C-V-E-A-N.

33 **THE COURT:** V-E-A-N?

34 **MR. WILLIAMS:** Yes.

35 **THE COURT:** Thank you. Thank you.

36 **THE COURT:** Okay and for, yes Mr. Roberts.

37 **MR. ROBERTS:** May it please you.

38 **THE COURT:** Yes sir.

39 **MR. ROBERTS:** Your worship I appear for Mr. Bankman-Fried.

40 **THE COURT:** Yes.

41 **MR. ROBERTS:** With me though not able to go on the record at this point is my pupil Ms.  
42 Crystal Stewart.

1 And on a watching brief is Miss Kendrea Demeritte. And she sits on her watching brief  
2 holding for Mrs. Krystal Rolle KC. And they are here in respect of related matters for Mr.  
3 Bankman-Fried.

4 THE COURT: Okay, good morning to all counsel thank you for being here.

5 Um And Mr. Bankman-Fried is here. Good morning to you. Mr. Bankman-Fried.

6 BANKMAN-FRIED: Good Morning.

7 THE COURT: How are you sir?

8 BANKMAN-FRIED: I'm doing well

9 THE COURT: Wonderful.

10 Okay very well. So where are we today please?

11 MR. ROBERTS: Your worship good morning I need to make certain formal household  
12 inquiries.

13 THE COURT: Yes sir.

14 MR. ROBERTS: And the most one of the more important ones for us is to make inquiries  
15 as to whether or not the recording system is in fact recording and working.

16 THE COURT: Yes it is. I am advised reliably so I may say by Mrs Buchanan.

17 MR. ROBERTS: Thank you.

18 THE COURT: Yes sir.

19 MR. ROBERTS: You worship in the circumstances and I know this is the practice which  
20 obtains by law in the Supreme Court.

21 Um we formally make a request for a copy of the transcript of today's hearing on the  
22 completion hereof.

23 THE COURT: Yes, very well Mr. Roberts.

24 Continue please sir.

25 MR ROBERTS: Your worship the other bit of housekeeping that I must address is this  
26 business about what occurred on Monday.

27 And my being incredible that I did not know of the hearing.

28 You're worship.

29 And it was incredible because it was so widely publicized that there would be a hearing  
30 on Monday.

31 Your worship I indicated that I hardly pay any news to what is published in the media as  
32 regards my having to attend court.

33 And a prime example of that occurred yesterday your worship because it was widely  
34 publicized that Mr. Bankman-Fried, had suffered some incident and was at Doctor's  
35 hospital.

36 So if I was conducting business with Mr. Bankman-Fried yesterday, out of the ordinary  
37 way that I do business.

38 And bearing in mind this theory that if it is widely publicized, that is what you must  
39 follow, I would have gone to Doctor's Hospital to see Mr. Bankman-Fried and conduct  
40 my business there.

41 It so turned out that Mr. Bankman-Fried was at the Department of Correctional Services  
42 where Miss Demeritte and I were there for almost all of the day, conducting business  
43 with Mr. Bankman-Fried.

44 THE COURT: Yes

45 MR. ROBERTS: So that is why I don't follow what is widely published to conduct my affairs  
46 when it comes to the court. I take court dates from the court.



1 Either through an adjournment or if the court offers me the courtesy to call me and say  
2 I have a hearing, please come, I come or if counsel calls me and say or speaks  
3 specifically to a court date and time I come. Widely publicized does not guide me.

4 THE COURT: Very well Mr. Roberts.

5 MR. ROBERTS: The other thing is this.

6 THE COURT: The court appreciates you saying that for the record.

7 MR. ROBERTS: Thank you.

8 THE COURT: Yes, you may continue.

9 MR. ROBERTS: The other thing is this your worship, as I indicated also on Monday that I  
10 was not aware of what was going on Monday.

11 I believe what occurs here today will demonstrate that when I'm involved in any matter  
12 things move smoothly because the right documents are in place and the right notices  
13 are given to counsel to attend court.

14 THE COURT: Yes sir.

15 MR. ROBERTS: Thank you your worship

16 THE COURT: Thank you Mr. Roberts.

17 MR. ROBERTS: Your worship getting to the heart of these proceedings. May I invite your  
18 attention please to section 17 of the extradition?

19 THE COURT: Yes sir.

20 MR. ROBERTS: Uh sorry, just for the record. Uh sorry I missed one piece. We're here  
21 this morning.

22 You worship pursuant to a hearing which I requested of you yesterday. That hearing was  
23 in open court during that hearing, I presented to your worship an affidavit which was  
24 sworn on 20 December 2022 and filed on 20 December 2022 which indicates

25 A compliance with section 17 (2) of the extradition act.

26 Though the act does not say that I am obligated to give one to my learned friend out of  
27 the courtesies and respect which I have for him.

28 I gave him one as well.

29 THE COURT: Very well.

30 MR ROBERTS: Okay, your worship if I may take you to sorry as a result of the indication  
31 in the affidavit I requested the court to bring Mr. Bankman-Fried down so that the  
32 proceedings in relation to the request for his extradition by the United States of America  
33 can be completed and completed according to law.

34 If I may then sorry, the time fixed by your worship was 11 o'clock one o'clock this morning  
35 and we are here.

36 THE COURT: And we are here 11 o'clock this morning.

37 THE COURT: I think it is only because of my slightly late arrival that we didn't start  
38 promptly at 10.

39 MR ROBERTS: Well your worship. It's Christmas. You can have that.

40 THE COURT: Very well. Thank you. Mr. Roberts.

41 MR. ROBERTS: Your worship if I may take you to section 17 of the extradition act please.

42 THE COURT: Yes sir

43 MR. ROBERTS: I would read it into the record because your worship I do appreciate that  
44 these things will go, but I will not say elsewhere.

45 THE COURT: Yes sir

1 MR ROBERTS: I'll be specific it will go to America and we need to be ensured that when  
2 Mr. Bankman-Fried leaves here we are, as his counsel have put him in the best possible  
3 position that we could put him in when he leaves here. That is our duty.

4 And we will make no compromise on that.

5 THE COURT: Very well Mr. Roberts. I the court agrees with you that certainly that is your  
6 duty as his counsel.

7 THE COURT: And you may continue.

8 MR ROBERTS: Yes, your worship. Section 17 this is the extradition Chapter 96 Statute law  
9 of the Bahamas.

10 THE COURT: Yes, sir

11 MR. ROBERTS: Section 17 (1) where a fugitive arrested, pursuant to a warrant under  
12 section 9 indicates that he is willing to be extradited, shall be brought before a  
13 magistrate who shall inform him of his right to formal extradition proceedings under  
14 this act.

15 Subsection Two, If the fugitive upon being informed of his right to extradition  
16 proceedings, consents in writing to be extradited without formal sorry.

17 Without such proceedings, the Magistrate shall commit him to custody to await his  
18 extradition under this act.

19 Subsection three, subject to subsection four. Where a fugitive is committed to custody  
20 to await his extradition, pursuant to subsection two.

21 The Minister may notwithstanding the provisions of section 11. Order him to be extradited  
22 forthwith.

23 To the approved state by which the request for extradition was made.

24 Subsection four. And making an order Under subsection three, the ministers shall have  
25 regard to the provisions of section seven unto the requirements of section 12 (2) (3) (4)  
26 and (5) relating to the making of an order under that section.

27 Your worship if I may then take you please to article 17 of the extradition treaty.

28 THE COURT: Article 17.

29 MR. ROBERTS: Let me introduce it first of all, for the record your worship. This is the  
30 extradition treaty between the government of the commonwealth of the Bahamas and  
31 the government of the United States of America which is a treaty.

32 Um which is dated 9 March 1990. If I may take you to Article 14 of that treaty, please your  
33 worship.

34 This is the most important aspect of these proceedings. As regards to Mr. Bankman-  
35 Fried. As regards to our representation of him.

36 Article 14 is the rule of specialty. One a person extradited under this treaty may only be  
37 detained, tried or punished in the requesting state for the offenses for which extradition  
38 was granted.

39 Or any offense committed after the extradition.

40 Sorry, that's A

41 B any offense in respect to which the executive authority of the requested state in  
42 accordance with its laws has consented to the person's detention, trial or punishment.

43 And for the purposes of this sub paragraph, the requested state shall require  
44 compliance with the extradition procedures specified in Article eight on the submission  
45 of the documents specified in that article.

46 C any offense which is a lesser offense proved by the facts before the court of committal  
47 or D any offense dealt with by the requesting state after one, the person failed to leave  
48 the territory of the requesting state within 30 days of being free to do so or two.

49 The person has left the territory of the requesting state and voluntary return to it.



1 Sub paragraph two person extradited under this treaty may only be extradited to the  
2 third state.

3 If (a) the requested state, the requested state consents or (b) the circumstances are  
4 such that the person could be dealt with in the requesting state, pursuant to sub  
5 paragraph D of paragraph one.

6 Your worship.

7 Those are the provisions which have operated on the mind of Mr. Bankman-Fried in the  
8 exercise of his right under article section 17. If I may invite your attention, your worship  
9 to the affidavit which was handed out yesterday,

10 This is an affidavit which is filed in the Magistrates court on 20 December 2022. There is  
11 the heading, it's in the Commonwealth of the Bahamas and the Magistrates court,  
12 Criminal Division.

13 To the right 2022 number, it's in the matter of a request by the United States of America  
14 for the extradition of Samuel Bankman-Fried.

15 And in the matter of the extradition treaty between the government of the  
16 Commonwealth of the Bahamas, the government of the United States of America.

17 And in the matter of the extradition Act, Chapter 96 the Statute Law of the Bahamas

18 It is between the United States of America who is the applicant and Samuel Bankman-  
19 Fried who is described in the act as the fugitive. This is his affidavit.

20 It says I Samuel Bankman-Fried currently an inmate of the department of correctional  
21 services situated in the eastern district of the island of New Providence, one of the  
22 islands of the commonwealth of the Bahamas.

23 Business executive and entrepreneur make oath and say as follows. One on 12 December  
24 2022 while in the Bahamas, I was arrested by officers of the Royal Bahamas Police Force  
25 such arrests being pursuant to a provisional warrant of arrest

26 Two from the 13th of December 2022 I was taken to Magistrates court number nine  
27 Nassau streets court where I appeared before chief magistrate Joann Ferguson-Pratt

28 While there I was informed by the said chief magistrate that I was there in relation to  
29 extradition proceedings.

30 Further, while their counsel for the applicant disclosed to my counsel the affidavit of  
31 Cordell F Fraser, same having been filed hearing on 13 December 2022. Exhibited to the  
32 said affidavit were a diplomatic note and an arrest warrant marked respectively as  
33 exhibit C.F.F. 1 and exhibit C.F.F 2.

34 Attached and exhibited hereto as SBF 1 and S.B.F 2 are respectively the said diplomatic  
35 note and arrest warrant.

36 Three that one having considered the charges settled in the said diplomatic note and  
37 arrest warrant two and having considered the rule of specialty settled in article 14 of the  
38 extradition treaty between the government of the commonwealth of the Bahamas and  
39 the government of the United States of America sub three.

40 And having a desire to make the relevant customers whole.

41 Four. And having informed sorry and having been informed by the said chief magistrate  
42 of my right to formal extradition proceedings under the extradition act chapter 96 The  
43 statute laws of the Bahamas.

44 And sub five and being aware of my right to be extradited without formal extradition  
45 proceedings.

46 I hereby consent in writing to be extradited without formal extradition proceedings.  
47 Such extradition being to the United States of America, paragraph four, that the purpose  
48 for which this affidavit is sworn is to set up my consent to be extradited without formal  
49 extradition proceedings.

1 Paragraph five. That the contents of this affidavit, true and correct to the best of my  
2 knowledge information and belief. It is sworn 20th day of December 2022 it is before a  
3 Bahamian notary public.

4 Your worship there is a certificate in standard form.

5 Then there is the exhibit, referred to CFF one in the affidavit of the applicant and referred  
6 to as SBF one in our affidavit.

7 Your worship I take you down, I will read the first few paragraphs, I will not read all of it  
8 but it consists of one

9 THE COURT: I don't think it's necessary to read all of it

10 MR. ROBERTS: I know I won't 5 6 7. Eight pages.

11 It is from the embassy of the United States of America. I'm reading on page eight, the  
12 very last um few lines on page eight.

13 Says the Embassy of the last paragraph, the Embassy of the United States of America  
14 avails itself of this opportunity to renew to the Minister of Foreign Affairs of the  
15 commonwealth of the Bahamas, the assurances of its highest consideration.

16 And I hope those are not just words.

17 Your worship it goes on embassy of the United States of America Nassau on December  
18 10th 2022. Your worship I will take for the purposes of the record and for our purposes  
19 just to read through a number with the paragraphs.

20 Um It is number one, I'm on page one your worship at the top left. It says number 194  
21 slash 22. Since the Embassy of the United States of America presents its compliments  
22 to the Minister of Foreign Affairs of Commonwealth of the Bahamas has the honor to  
23 request the provisional arrest for extradition purposes of Samuel Bankman-Fried aka  
24 SBF pursuant to the extradition treaty between the United States of America and the  
25 government of the Commonwealth of the Bahamas signed on March 9th 1990 is referred  
26 to as the Treaty.

27 So we're all talking about the same treaty.

28 THE COURT: Yes, that is the treaty that you referred to earlier.

29 MR ROBERTS: Yes, it goes on Bankman-Fried is wanted for trial in the United States on  
30 wire fraud and related offenses.

31 Next paragraph Bankman-Fried is charged by indictment in case number 22 CR 673 filed  
32 on December 9 2022 in the United States District Court for the Southern District of New  
33 York with the following charges: two counts of wire fraud in violation of Title 18 United  
34 States Code section 1343 and two.

35 Next two counts of conspiracy to commit wire fraud and violation of title 18 United States  
36 Code section 1349. Next.

37 One. Count of conspiracy to commit commodities fraud in violation of Title 18 United  
38 States Code section 371. If I'm correct, your worship you should be.

39 Now. We're on page two.

40 THE COURT: Yes by my copy it is page two.

41 MR. ROBERTS: Yes and by mine.

42 Next is one count of conspiracy to commit securities fraud in violation of Title 18 United  
43 States Code section 371. Next one count of money laundering conspiracy in violation of  
44 title 18 United States code section 1956 and I make that to be H.

45 THE COURT: Yes I do as well. Thank you.

46 MR. ROBERTS: I'm just wondering if my learned friends can confirm that that is in fact  
47 an H.

48 THE COURT: Mr. Williams. Are you even in a position to do so?

49 It looks like H?



1 MR WILLIAMS: On the docket?

2 THE COURT: Yes it looks like H. I don't know that you're in a position to say one way or  
3 the other whether any error was made on the document it is h.

4 MR. ROBERTS: Mine could pass for B as it is not quite copied.

5 THE COURT: But if it is. Yes it appears to be it appears to be an h to me.

6 Um and I would say so certainly um to a degree of 99.9%.

7 MR ROBERTS: Very well so we under h? Yes and my learned friends have not said  
8 anything otherwise.

9 And the last one, 1 count of conspiracy to defraud the United States in violation of title  
10 18. United States Code Section 371. Um.

11 Based on the charges in the indictment on December 9, 2022, United States District  
12 Court for the Southern District of New York issued a warrant for the arrest of Bankman-  
13 Fried.

14 This arrest warrant remains valid and executable to apprehend Bankman-Fried to stand  
15 trial for the crimes charged in the indictment.

16 The facts underlying the conviction that says conviction, but I'm sure that must be an  
17 error are as follows.

18 Um and then it goes on and goes on to say.

19 THE COURT: yes to set out the facts relied upon.

20 MR. ROBERTS: Yes. I need not read them there in the affidavit but they are part of the  
21 record.

22 THE COURT: Yes. Very well. So.

23 MR ROBERTS: The arrest warrant is exhibited in our affidavit.

24 As SBF. Two. The affidavit of my learned friend exhibit C.F.F. Two

25 The important point for us Your Worship is that this sets out case number of 22 crim that  
26 C.R.I.M. 673. So as far as we are aware that is the case to which we are speaking, it is  
27 titled United States of America v. Samuel Bankman-Fried aka SBF very well

28 I need not read anything else the warrant is there.

29 THE COURT: And that arrest warrant and the case number that you refer to um is in  
30 accord with the preliminary paragraph to the charges that you spoke to as well.

31 MR. ROBERTS: Your worship it would appear I'm not going to commit. It's a matter for  
32 well,

33 THE COURT: Yes, again, as Mr. as Mr. as Mr. Williams King's Counsel so eloquently put it,  
34 it says so in the document.

35 MR. ROBERTS: That your worship, that would be a matter if there's any difference for  
36 argument.

37 THE COURT: Very well. Very well.

38 MR. ROBERTS: Your worship as best as we can your Worship going back to Article 14,  
39 the rule of specialty, we believe Your Worship that Mr. Bankman-Fried intentions are  
40 clear and the reason for doing so are equally as clear. It has always been his desire to  
41 put the customers right.

42 Your Worship. The only request that we have a view at this point, having satisfied we  
43 believe section 17 two is that in your order of committal, we invite you as best as you can  
44 to ensure that the offenses for which the extradition is to take place are the offenses for  
45 which he will be tried. No other offense.

46 THE COURT: Very well.

47 MR. ROBERTS: I'm obliged your worship. I thank you for your time and I invite you to now  
48 carry out your duties under the act.



1 THE COURT: Thank you. Mr. Roberts.

2 MR ROBERTS: Thank you.

3 THE COURT: Mr. Williams Before I call upon the fugitive to take um the oath or affirmation  
4 and confirm that the affidavit referred to by your learned friend is in fact his affidavit.

5 Do you wish to say anything at all?

6 MR WILLIAMS: The fugitive is in your hand.

7 THE COURT: Very well, very well. Um Mr. Bankman-Fried if you may stand please.

8 Sir, may you please lead Mr. Bankman-Fried um to the witness box.

9 Yes. Mr. Bankman-Fried. Hello to you again.

10 MR BANKMAN-FRIED: Hello

11 THE COURT: Um.

12 Mr. Bankman -Fried Um I am going to ask you to um either by sworn oath or affirmation  
13 um indicate certain things to me.

14 Okay, do you prefer to swear on the bible? Or would you prefer to give an affirmation?

15 MR BANKMAN-FRIED: I'll do an affirmation. Thank you.

16 THE COURT: Very well. If you may follow the words of the Marshall please. Um I would  
17 ask at this time for all persons in the courtroom um to sit still while the affirmation is  
18 being administered.

19 COURT MARSHALL: Repeat after me.

20 MR BANKMAN-FRIED: I solemnly, sincerely, and truthfully declare and affirm that the  
21 evidence I shall give shall be the truth. The whole truth and nothing but the truth.

22 THE COURT: Very well, thank you.

23 THE COURT: Mr. Bankman-Fried. Um for the record. Can you please give your name,  
24 address and occupation.

25 MR BANKMAN-FRIED: Uh Samuel Benjamin Bankman-Fried.

26 Um occupation, entrepreneur.

27 Um and Executive. Um.

28 I guess my address is a little unclear right now. Um I had been residing in uh Albany in  
29 Nassau and part of that in Cable beach in Nassau.

30 THE COURT: Mr. Bankman-Fried for a short time ago, you would have heard your counsel  
31 Mr. Roberts referred to an affidavit um that you prepared. He read the contents of that  
32 affidavit into the record of these proceedings. Did you in fact instruct your counsel to  
33 prepare an affidavit on your behalf?

34 MR BANKMAN-FRIED: Yes, I did.

35 THE COURT: And did you sign that affidavit?

36 MR. BANKMAN-FRIED: Yes, I did.

37 THE COURT: If you were to see that affidavit again, would you be able to recognize it?

38 MR BANKMAN-FRIED: Yes.

39 THE COURT: And might I ask how so sir, please?

40 MR. BANKMAN-FRIED: I would recognize my signature on it.

41 The stamp on the bottom of it and the rough contents of the document.

42 THE COURT: Very well. Um I'm going to hand you um the copy of the affidavit that that  
43 that I have, the purported affidavit of yours that I have. Um I have marked on it a little bit  
44 in pencil. Um so, if you may please excuse um those markings of mine.

1 Um and I will ask you sir um to take a look at it please. And please say whether that in  
2 fact is the affidavit that you say that you instructed your counsel to prepare that you can  
3 identify by the means that you just indicated.

4 MR. BANKMAN-FRIED: Yes, this is.

5 THE COURT: For the record can you please point your signature out to me?

6 MR BANKMAN-FRIED: Uh it's right there

7 THE COURT: very well, thank you.

8 Thank you. Mr. Bankman-Fried.

9 MR BANKMAN-FRIED: Thank you.

10 THE COURT: Mr. Bankman-Fried in that affidavit you indicated your counsel indicated,  
11 and you indicated, um, your counsel pointed me, um, to paragraph three, sub paragraph  
12 four, um.

13 At that juncture in this document, you indicated that you had been informed previously  
14 by the chief magistrate who you appeared before um in this space some days ago um  
15 that you had been informed by that person of your right to formal extradition  
16 proceedings.

17 Is that so?

18 MR. BANKMAN-FRIED: Yes

19 THE COURT: Very well. And with regard this affidavit that you have prepared, your  
20 counsel has indicated that you are desirous of waiving your right to such formal  
21 proceedings.

22 Is that in fact so? do you in fact wish to waive your right to such formal extradition  
23 proceedings?

24 MR. BANKMAN-FRIED: Yes, I do wish to waive my right to such formal extradition  
25 proceedings.

26 THE COURT: Very well.

27 And if I may ask you please sir, have you been forced, coerced, threatened um in any  
28 way um to give the consent that you now give with regard waiving your right to formal  
29 extradition proceedings.

30 MR BANKMAN-FRIED: No I have not

31 THE COURT: Um have you done so voluntarily?

32 MR BANKMAN-FRIED: Yes

33 THE COURT: Very well, thank you. Mr. Bankman-Fried you may step down.

34 Mr. Roberts the court is appreciative of what you have said um with regard the rule of  
35 specialty um contained in Article 14 of the referred to extradition treaty. Um it is my view  
36 certainly um that section 17 of the act in fact mirrors um which you indicate um the  
37 responsibility of the minister is with regard his state to state communications with the  
38 requesting state.

39 And I to above the view that notwithstanding my limited judicial functions.

40 And it is quite limited. Um While I certainly believe that it is improper for me to direct  
41 state to state communications.

42 I certainly do not believe that it is unreasonable for me to indicate to the minister my  
43 appreciation for the rule of specialty as well.

44 Indeed, Mr. Bankman-Fried in paragraph two of his affidavit has in fact outlined um the  
45 fact that he is appreciative of the contents of the exhibits of the affidavit of Miss Fraser  
46 um that you clearly have included pursuant to Mr. Bankman-Fried instructions in his  
47 affidavit. And you have quite purposefully and I don't believe that it was an unnecessary  
48 exercise, indicated the charges on the indictment.

49 MR ROBERTS: At the bottom.



1 THE COURT: Yes, sorry. The diplomatic notes are the charges outlined on a diplomatic  
2 note that Mr. Bankman-Fried um is appreciative of that he will have to answer to in those  
3 circumstances I take your point and the court will certainly exercise its due diligence to  
4 ensure that that is conveyed.

5 Bearing in mind.

6 MR ROBERTS: Sorry go ahead.

7 Your Worship, I thought you were through, because I was just going to give you my  
8 thanks for.

9 THE COURT: Very well, yes. Very well, so not a problem at all. And I mean no doubt  
10 section 17 clearly outright calls for it and the minister clearly has responsibilities under  
11 section 12 as well with regard how he carries out his function.

12 Okay. I have no doubt as you had indicated earlier, I have no doubt that assurances from  
13 both sides of the request and the requested state will certainly carry out carry out their  
14 due diligence in accordance with the provisions of the treaty.

15 And certainly from our end in accordance with the provisions of the Extradition Act.

16 MR ROBERTS: Your worship, sorry I can't hear you. You drop your voice. I can barely I'm  
17 not.

18 THE COURT: Yes. Yes. Yes. I'm basically saying so that I have every reason to believe um  
19 that um the requested state um as well as the requesting state will carry out their  
20 obligations as provided for in the treaty as well as for our side um the requested  
21 stateside um its obligations as laid out in the extradition Act.

22 But as you have just indicated your appreciation for um I will certainly do my part in in  
23 reminding the persons that I need to advise of the outcome of these proceedings of  
24 what their considerations um ought be insofar as pointing them to them.

25 I certainly will not I certainly will not condescend to engaging in directing the contents  
26 of state to state communications.

27 That is not my function at all.

28 MR ROBERTS: Your worship for the record that is certainly not what I'm asking you to  
29 do either.

30 THE COURT: Very well.

31 MR. ROBERTS: I appreciate your line ends here.

32 But your efforts though to encourage what we are asking ought to be done. I'm sure we  
33 have a very experienced Minister of Foreign Affairs who fights our corner and I  
34 appreciate him for that.

35 THE COURT: Absolutely. Absolutely

36 MR ROBERTS: And I'm almost certain that he would do his job properly. No doubt about  
37 that.

38 THE COURT: Absolutely. Absolutely.

39 MR. ROBERTS: Your Worship, unless I could be any further assistance.

40 THE COURT: Very well thank you. Mr. Roberts.

41 MR. ROBERTS: Thank you.

42 THE COURT: Mr. Williams is there anything for you to add before I speak with the fugitive?

43 MR WILLIAMS: Nothing further

44 THE COURT: Very well. Mr. Bankman-Fried. Sir, I am satisfied that the document that you  
45 have identified as yours is in fact yours in keeping with the provisions of section 17 of  
46 the extradition Act, I am satisfied that you were arrested pursuant to Section nine of the  
47 extradition Act for which purpose is necessary because it is only by way of arrest  
48 pursuant to that section that section 17 applies. I am so satisfied as well, sir, um that you  
49 have not been forced coerced or threatened in any way um to give your consent to waive

1 formal extradition proceedings and as I should have said before what I just said, I am  
2 also satisfied um that you have been notified of your right to formal extradition  
3 proceedings.

4 Um having a prize myself of the provisions of Section seven of the Extradition Act. I am  
5 also satisfied for the record um that there are no prohibitions to extradition existing in  
6 the circumstances under such sir I therefore formally commit you to custody while you  
7 await your extradition.

8 Is there anything that you need to ask or say before we conclude these proceedings?

9 MR BANKMAN-FRIED: No sir thank you.

10 THE COURT: Very well.

11 THE COURT: The next thing I suppose the last thing I want to ask sir is um bearing in  
12 mind the time of day have you eaten?

13 MR BANKMAN-FRIED: Yes I have

14 THE COURT: You have. Very well. And you are in good health?

15 MR. BANKMAN-FRIED: Yes.

16 THE COURT: Very well okay. Without further ado um I don't believe that there's anything  
17 further

18 MR ROBERTS: No your worship there's just one thing. If that forthwith it could be  
19 impressed that Mr. Bankman-Fried is anxious to leave when that forthwith with means  
20 today. That would be fine.

21 THE COURT: Very well.

22 Thank you very much Mr. Roberts. I have no idea whether it will be today I suspect. Um  
23 As soon as possible certainly includes the possibility of today. The probability of today. I  
24 am seeing by heads nodding to my right.

25 Um So yes thank you very much. Mr. Roberts um for your assurance that that would be  
26 um not only acceptable but fine.

27 MR. ROBERTS: Thank you your worship.

28 THE COURT: Very well. Okay so in the circumstances um that concludes these  
29 proceedings um I will of course advise the minister responsible for extradition about the  
30 order that I have just made with regard Mr. Bankman-Fried being committed to custody  
31 while he awaits his extradition and unless there's anything further.

32 Um I hereby adjourned the court.

33 COURT MARSHALL: All rise.

34 THE COURT: Very well.

35 Okay.

36 --END--

37 11:45 am